

## REPORT FOR: INFORMATION BULLETIN

<b>Subject:</b>	<b>ANNUAL PARKING REPORT (2011/12)</b>
<b>Lead Officer:</b>	Head of Environmental Care
<b>Portfolio Holder:</b>	Highways & Transport
<b>Business Plan ref:</b>	EC – 1
<b>Exempt information:</b>	None
<b>Delegated status:</b>	For Information

### **EXECUTIVE SUMMARY:**

The Council is required to publish an annual report detailing certain statistical and financial information relating to the enforcement operations in its off-street pay and display car parks. The report for 2011/12 shows the Council generated a net £10,000 surplus from its off-street parking enforcement operations. A total of 8,880 parking penalties were issued, 79% were paid, 13% were cancelled on appeal, and 8% were either unrecoverable or are pending further recovery action.

### **REPORT:**

#### **Background:**

1. The Council manages and controls parking in its off-street pay and display car parks using legislation known as Civil Parking Enforcement. It also undertakes on-street enforcement on behalf of the County Council under an Agency Agreement. These on and off-street enforcement operations are combined to enable an efficient and effective joint parking enforcement service in Elmbridge.
2. Under Civil Parking Enforcement parking enforcement authorities are required to issue an Annual Report detailing certain financial and statistical information. This is to ensure transparency and accountability in relation to parking enforcement operations. The Council is required to issue a report in relation to off-street car parks, and Surrey County Council is required to issue a report in respect of on-street parking operations.

#### **Annual Report:**

3. The financial and statistical information required for the 2011/12 Annual Report is shown at Appendix A. Members may wish to note the following.
4. **Financial:** The Council generated a net £10,000 surplus from its off-street parking enforcement operations. This is calculated from the income from penalties less the cost of carrying out enforcement and it excludes income for pay and display and season ticket sales. This compares to a £22,000 surplus in 2010/11.
5. Under the relevant legislation, namely the Road Traffic Regulation Act 1984, any surplus is ring-fenced to offset previous or future deficits, and can only be used to fund improvements to car parks or to contribute to general transportation improvement schemes.

6. **Statistical:** A total of 8,880 penalties were issued in our pay and display car parks, the vast majority of which (93%) were for either failing to display a valid parking ticket or for displaying an expired ticket. 1,382 penalties were challenged through the appeals process, of these 1,194 were cancelled.
7. To improve efficiencies and customer relations in 2011/12 warnings were generally issued to vehicles that displayed a ticket “face-down” on the dashboard. During the year 673 warnings were issued which resulted in a corresponding drop in penalties and a 50% fall in parking appeals compared to the previous year.

**Financial Implications:** As set-out in the report.

**Environmental Implications:** Exempt - information report

**Legal implications:** As set out in the report.

**Equality Implications:** None

**Risk Management Implications:** None

**Community Safety Implications:** Exempt - information report

**Background Papers:** With the Head of Environmental Care

**Enclosures / Appendices:** **Appendix A** - Annual Report 2011/12.

**Contact Details:** Head of Environmental Care

## Appendix A: Off-Street Parking 2011/12 – Annual Report

### Financial Information:

Off-street parking enforcement is undertaken through a parking enforcement contract with NSL Services, under which the Council's pay and display car parks are regularly patrolled by Civil Enforcement Officers (*traffic wardens*) and Penalty Charge Notices (PCNs) are issued when appropriate. The Civil Enforcement Officers do not operate under a performance scheme based on a quota or target level of PCNs. The Council's expenditure on these **enforcement operations** is shown below.

In addition to the administration of the car parks, including monitoring the Council's revenue streams from pay and display parking and season tickets, the Council's Parking Services Section processes parking Penalty Charge Notices. There is a statutory duty for Local Authorities to consider representations challenging PCNs. This is done according to Statutory Guidance and local policies, which can be found on our web-site.

The cost of administering PCN processing and the enforcement contract provided by NSL Services is detailed in the **Administration Costs** below.

<b>Revenue Expenditure 2011/12</b>	<b>£,000s</b>
Operational Enforcement	211
Administration Costs	77
<b>Gross Enforcement Costs</b>	<b>288</b>
Less PCN Income	- 298
<b>Net Enforcement Costs</b>	<b>-10</b>

Off-street parking enforcement operated at a moderate surplus of £10,000 in 2011/12.

## Appendix A: Off-Street Parking 2011/12 – Annual Report

### Statistical Information:

The Council recognises that the vast majority of drivers abide by parking controls in our car parks, and we try to publicise clear and easily understood information on rules governing the operation of our car parks, to ensure that as far as possible penalties can be avoided.

However, even the most diligent driver may receive a Penalty Charge Notice (PCN), as a result of a simple error or due to circumstances out of their control. In all cases we endeavour to be fair, consistent and transparent in our policies and procedures for considering challenges and appealing against a Penalty.

The law provides for two levels of Penalty. The lower Penalty of £50 generally applies for parking contraventions in areas where parking is allowed for example, for an expired pay and display ticket. A higher £70 Penalty applies for contraventions in areas where parking is normally prohibited such as the unauthorised use of a 'disabled' bay. The majority of contraventions occurring in our car parks are for parking without a valid pay and display ticket and very few higher PCNs are issued.

2011/12	Number	%
Total PCNs issued	8,880	100
Higher level PCNs (£70)	267	3.0
Lower level PCNs (£50)	8,613	97.0
PCNs paid at discount	5,910	66.6
PCNs paid at full (or above)	1,135	12.8
Total PCNs paid	7,045	79.3
PCNs against which formal or informal reps made	1,382	15.6
PCNs cancelled as a result of formal or informal reps	1,194	13.5
PCNs cancelled for other reasons	0	0
PCNs written off	0	0
PCNs issued for improved use of a Disabled Bay	103	1
Vehicles immobilised	0	0
Vehicle's removed	0	0

To encourage prompt payment of penalties the law allows a 'discount' 14-day period when the Penalty may be paid at half the normal charge, for example, a £50 Penalty will be accepted at £25. In addition, if we receive a challenge before the 14-day period runs out, we normally extend the discount period for a further 14-days if we are unable to agree to cancel the Penalty.

One of the most common reasons for agreeing to cancel a Penalty is where the pay and display ticket has been purchased but not properly displayed for example, put on the vehicle dash 'face down'. The Council may issue a warning notice in these circumstances. However, where a Penalty is issued, the Council normally cancels these penalties at its discretion when the otherwise valid ticket was subsequently produced.

Where a Penalty remains unpaid, we follow parking law and ask the Court to allow the use of bailiffs to recover the unpaid monies and costs. This ensures penalties are not ignored. In those cases where the bailiff is unable to trace the owner of the vehicle, the debt owed to the Council from the unpaid Penalty will eventually expire.